

**NEW CONTINUATION, DIVISIONAL, CIP
APPLICATION REQUEST TRANSMITTAL
(37 CFR §1.53(b))**

Docket No. B0033/7001C3

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number: EL 982220858 US
Date of Deposit: October 24, 2003

I hereby certify that the following Correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Jan L. Mellen
Jan L. Mellen

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

This is a request for a filing of a ☒ continuation ☐ divisional ☐ continuation-in-part (CIP) utility patent application under 37 CFR §1.53(b) of the following prior non-provisional application:

Applicant: Stephen A. Raymond, Geoffrey E. Gordon and Daniel B. Singer
Serial No: 09/940,129
Filed: September 24, 2001
For: HEALTH MONITORING SYSTEM, DIVISIONAL
Examiner: Scott M. Getzow
Art Unit: 3762

The entire disclosure of the prior application, from which an oath or declaration is supplied herewith, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. (Note: this incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.)

Enclosures

- 63** Pages of specification, including claims and abstract.
27 Sheets of formal drawings.
☒ Application Data Sheet.
☐ New oath or declaration.
☒ Copy of a declaration from a prior application is enclosed 37 C.F.R. §1.63(d).
☐ Preliminary amendment
☐ Other

22141 U.S. PTO
10/693232



Inventors:

- ☒ This application names as inventors the same inventors named in the prior application on the date this application under 37 CFR §1.53(b) is being filed.
- ☐ **DELETION OF INVENTOR(S)** - A signed statement is attached deleting inventors named in the prior application. (37 CFR §§1.63(d)(2) and 1.33(b))

Assignments

- ☒ Assignments have been filed in a prior application.
- ☐ A new assignment is enclosed.

Information Disclosure Statements

- ☐ PTO-1449 Form is enclosed.
- ☐ Copies of IDS citations enclosed.

Small Entity

- ☒ Applicant claims small entity status.
- ☐ Small entity status is no longer claimed.

Fees

Claims as Filed					
	Claims Filed	Basic Fee Allowance	Number of Extra Claims	Rate	Fees Due
Basic Fee 37 CFR §1.16(a)					\$770.00
Total Claims (37 CFR §1.16(c))	19	- 20 =	0 X	\$18.00 =	\$ 0.00
Independent Claims (37 CFR §1.16(b))	3	- 3 =	0 X	\$86.00 =	\$ 0.00
Reduction by 50% for filing by small entity					\ \$ 385.00
Assignment Recording Fee					\$ 0.00
Total Filing Fee					<u>\$ 385.00</u>

Payment

- ☒ Check in the amount of the total filing fee.
- ☐ Charge Account No. 02-3038 in the amount of the total filing fee. A duplicate of this transmittal sheet is attached.

Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §1.16, §1.17 and §1.18 required by this paper and during the entire pendency of this application to Account No. 02-3038.

Proof of Receipt

- ☒ Return receipt postcard is enclosed.

Power of Attorney

- ☐ A new power of attorney is enclosed.
☐ A Statement of Assignee under 37 C.F.R. §3.73(b) is enclosed.

New Correspondence Address

- ☒ Please address all correspondence to Philip L. Conrad, Esq. at the address of customer no.

21127

Philip L. Conrad
Philip L. Conrad, Esq. Reg. No. 34,567
KUDIRKA & JOBSE, LLP
Customer Number 021127
Tel: (617) 367-4600 Fax: (617) 367-4656

Date: October 24, 2003